



Atty's Dkt: CHAIN=4A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IA Application of:) Application Division
 CHAIN, Daniel G. et al.) ATTN: PCT
 Serial No.: 09/868,501) Washington, D.C.
 IA Filing Date: 17 December 1999) Confirmation No.
 For: INCREASING BRAIN GLUCOSE...) September 26, 2001

LATE SUBMISSION OF DECLARATION AND/OR TRANSLATION IN APPLICATION FILED UNDER 35 USC
§371

HON. COMMISSIONER OF PATENTS AND TRADEMARKS
 Washington, D.C. 20231

Sir:

The present communication is in response to the "NOTIFICATION OF MISSING REQUIREMENTS..." dated July 19, 2001.

- [XX] Attached hereto is an executed oath or declaration in compliance with 37 C.F.R. 1.63, identifying the present application by title, PCT information and priority information.
- [] Applicant claims small entity status. See CR 1.27.
- [] Preliminary Amendment and Statements in Support of Filing and Submissions in Accordance with 37 C.F.R. §1.821-1.825, Sequence Listing (hardcopy), and computer-readable form of Sequence Listing.
- [XX] An Information Disclosure Statement with 1449 and 62 references is also attached.
- [XX] Surcharge for late filing of the Declaration was paid on June 18, 2001 (Credit Card Payment).
- [] Surcharge for late filing of the Declaration in the amount of:
- | | |
|--------------|-------------------------|
| Small Entity | Other than Small Entity |
| [] \$65.00 | [] \$130.00 |
- [XX] It is hereby petitioned for an extension of time in accordance with 37 C.F.R. 1.136(a). The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:
- | | |
|-----------------------------|-----------------------------|
| Small Entity | Other Than Small Entity |
| Response Filed Within | Response Filed Within |
| [] First - \$ 55.00 | [] First - \$ 110.00 |
| [] Second - \$ 195.00 | [XX] Second - \$ 390.00 |
| [] Third - \$ 445.00 | [] Third - \$ 890.00 |
| [] Fourth - \$ 695.00 | [] Fourth - \$1,390.00 |
| Month After Time Period Set | Month After Time Period Set |
- [XX] Conditional Petition for Extension of Time:
 If any extension of time for a response is required, applicant requests that this be considered a petition therefor.
- [XX] Credit Card Payment Form, PTO-2038, authorizing payment the amount of \$390.00 enclosed to cover the above fees.
- [XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

10/02/2001 UEDUVIJE 00000012 09868501

01 FC:116

390.00 OP

(202) 628-5197

RLB:tw

BROWDY AND NEIMARK, P.L.L.C.w
 Attorneys for Applicant(s)

By:

Roger L. Browdy

Registration No. 25,618